

THE STATE OF TEXAS

COUNTY OF KENDALL **BE IT REMEMBERED**, that the Commissioners' Court of Kendall County, Texas, was begun and held at a Regular Meeting at the New Courthouse in Boerne, Texas, on the 12th day of May 2008.

Present: **GAYLAN L. SCHROEDER, COUNTY JUDGE**
ANN REISSIG, COMMISSIONER, PCT. #1
GENE MIERTSCHIN, COMMISSIONER, PCT. #2
DARREL L. LUX, COMMISSIONER, PCT. #3
KENNETH M. RUSCH, COMMISSIONER, PCT. #4
SALLY W. PETERS, DEPUTY COUNTY CLERK

1. **The meeting was called to order with the Pledge of Allegiance to the United States and Texas flags.**

2. **The Kendall County Bar Association presented a framed copy of the Magna Carta to the Commissioners' Court.**

3. **Angela Fiedler, Extension Office, presented certificates to the students from Boerne High School and Smithson Valley High School who volunteered at the April 12th Family Fair Day at the Cibolo Nature Center.**

4. **THE STATE OF TEXAS**
COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Minutes for April 28, 2008.**
Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 5-0.

- 5-a. **THE STATE OF TEXAS**
COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Budget Adjustments as submitted by the Auditor's Office (attached).**
Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 5-0.

- 5-b. **THE STATE OF TEXAS**
COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Emergency Declaration Budget Adjustments as submitted by the Auditor's Office (attached).**
Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

7. **THE STATE OF TEXAS**
COUNTY OF KENDALL **It is ordered by the Commissioners' Court of Kendall County, Texas, to table action on Policies and Procedures for the County Purchasing Card until further review.**
Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, and carried by a vote of 5-0.

6. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve all of the Claims as submitted by the Auditor's Office (on file).

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

8. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Budget Change Request by the Tax Assessor/Collector's Office for the purchase of a new safe.

Motion was made by Commissioner Lux, seconded by Commissioner Miertschin, and carried by a vote of 5-0.

9. PUBLIC COMMENTS:

- David White expressed concern regarding the classification of Upper Cibolo Creek Road up to the 4-mile point and asked for clarification as to when it became a Class 2 Road.
 - Sharon McLaughlin, Master Naturalist, asked the court's approval to take the approximately ½ acre of land on Highway 87 coming from Fredericksburg into Comfort that the county currently leases to Ray Castro and improve it with a butterfly garden and all natural vegetation so that travelers will visually receive a welcome to Comfort. The Judge said that this would need to be addressed as a future agenda item requesting action.
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10. No action was taken on lifting the burn ban; however, permits may be requested from the fire marshal.

11. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to adopt the Proclamation proclaiming May 2008 as Elder Abuse Prevention/Awareness Month (attached).

Motion was made by Judge Schroeder, seconded by Commissioner Miertschin, and carried by a vote of 5-0.

12. A Public Hearing was held regarding the Plat Revision of Estancia at Thunder Valley Subdivision, Phase II, Lot 1 (22 acres) and Lot 49 (128 acres). The following people spoke:

- John Kight said that he disagreed with the request as a re-plat of an existing subdivision and instead he considered it a new and separate subdivision that should have to comply with the density and minimum lot size rules of the county and Cow Creek Groundwater Conservation District.
 - Don Allee, County Attorney, said the request complies with the county requirements for it to be considered a Plat Revision.
 - Dub Smothers asked the court to review a Memorandum of Understanding between GBRA, the City of Boerne, CCGCD and Kendall County.
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13. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Preliminary Plat for Estancia at Thunder Valley Subdivision, Phase II, which is approximately 150 acres and is the re-plat of Lot 1 (22 acres) and the previously vacated Lot 49 Greenbelt (128 acres).

Motion was made by Commissioner Reissig, seconded by Commissioner Lux, and carried by a vote of 4-0-1 with Commissioner Miertschin abstaining.

14. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to table action on increasing the establishment fees for foster homes, daycare centers, and temporary events until the County Health Inspector submits a breakdown of the reported totals for the different establishments.

Motion was made by Commissioner Lux, seconded by Commissioner Reissig, and carried by a vote of 5-0.

15. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to support the participation of Kendall County employees in the Health Power Program, a Methodist Healthcare System workforce health initiative, and authorize the county to pay the cost of the optional Personal Health Report.

Motion was made by Judge Schroeder, seconded by Commissioner Lux, and carried by a vote of 5-0.

16. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize the services of PBS&J for a maximum cost of \$5,875.00, that cost possibly being lowered by the use of the county backhoe, for the purpose of archeological services in conjunction with Texas Community Development Block Grant Contract No. 727249 for sewer line replacement in Comfort (attached).

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

17. Action on traffic regulation and parking on the Courthouse grounds was tabled until after Executive Session.

18. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the Amending Plat for Cordillera Ranch Subdivision, Unit 201, Block A, Lots 23 and 24 into Lots 23A and 24A.

Motion was made by Commissioner Miertschin, seconded by Commissioner Reissig, and carried by a vote of 5-0.

19. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to approve the request for relief to minimum road frontage and platting requirements on Vista Real Avenue in accordance with paragraphs 101.1000 and 301.1000 of the Development Rules and Regulations dated August 29, 2005 (amended September 2006) for a 5.8-acre tract (Perez) that is being divided out of a 79.6-acre tract with access through a 60-foot easement to Vista Real Avenue. This division will include the restriction that the 5.8-acre tract cannot be sold unless combined with all or part of the surrounding 73.8-acre tract with road frontage to road segment C-1 in Vista Real Avenue.

Motion was made by Commissioner Rusch, seconded by Commissioner Lux, and carried by a vote of 5-0.

20. Rufus Stephens, Texas Parks and Wildlife representative, presented different options that can be taken to control the deer population at Joshua Springs Park and Preserve. Representatives from Commissioners' Court, the County Attorney's Office, and Texas Parks and Wildlife will meet again to pursue which options the county will choose to decrease the deer population.

21. IKON representatives presented a proposal for new copy machines to replace the existing older models. The court asked the representatives to get with each department manager to determine if the new machines will meet their needs and then report back at the June 12, 2008 Commissioners' Court meeting.

Court closed Open Session, took a Break and then went into Executive Session.

Court closed Executive Session and went into Open Session where the following motions were made:

17. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize Facility Maintenance to paint red curbing at the Courthouse Complex.

Motion was made by Commissioner Rusch, seconded by Commissioner Reissig, and carried by a vote of 5-0.

1-2. THE STATE OF TEXAS

COUNTY OF KENDALL It is ordered by the Commissioners' Court of Kendall County, Texas, to authorize Road & Bridge to proceed as discussed in Executive Session concerning the Lateral Road & Bridge Fund.

Motion was made by Commissioner Lux, seconded by Commissioner Rusch, and carried by a vote of 5-0.

Court closed Open Session, took a Lunch Break and then reconvened at James Kiehl River Bend Park.

22. The court participated in the groundbreaking ceremony at James Kiehl River Bend Park.

Being no further business, the meeting was adjourned.

EXAMINED AND APPROVED THIS 27th DAY OF MAY A.D., 2008

ATTESTED: Darlene Herin
COUNTY CLERK
KENDALL COUNTY, TEXAS

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COUNTY JUDGE
KENDALL COUNTY, TEXAS

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